

HOUSE BILL 445  
By Fowlkes

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 6 and Title 68, relative to completion of a health report card on all public school children in Tennessee.

WHEREAS, U.S. Surgeon General Richard Carmona, MD, has called obesity “the greatest threat to public health today”; and

WHEREAS, all available data reflects that children and adolescents are exercising less and consuming more unhealthy foods; and

WHEREAS, those unhealthy lifestyles have led to a greater incidence of overweight children and adolescents. Childhood obesity can lead to chronic health problems such as type 2 diabetes; and

WHEREAS, as many as 50% of Tennessee children and adolescents may be overweight; and

WHEREAS, identification of children and adolescents who may be overweight is the first step in addressing this national and state crisis and the screening tool known as a body mass index is a quick and easy screening test to determine possible risk using weight and height measurements; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, is amended by adding the following sections as a new part.

SECTION 2.

(a) Within ninety (90) days of the beginning of each school year, each LEA shall:

(1) Have sufficient number of current school staff trained in taking a body mass index to meet the requirements of this act;

(2) Complete a body mass index for age (BMI-for-age) as defined by the Centers for Disease Control and Prevention on every child enrolled for classes in their school system whose parents or guardians have not requested exclusion from the testing; and

(3) Provide each student's parents or guardians with a confidential health report card that represents the results of the child's BMI-for-age screening along with basic educational information on what the results mean and what the parents or guardians should do with the information.

(b) Thirty (30) days after completion of the screening on all school children, the LEA shall transmit aggregate results by school and by grade to the Tennessee department of education on a form designed and disseminated by the Tennessee department of education.

### SECTION 3.

(a) The Tennessee department of education shall:

(1) In consultation with the commissioner of health, provide necessary information to LEAs before the beginning of the 2005-2006 school year and annually thereafter explaining the method for determining a BMI-for-age and tables that will be used to determine if a child may be overweight based upon the BMI-for-age;

(2) Develop and disseminate to LEAs before the 2005-2006 school year and annually thereafter a form that should be used to report the aggregate results from individual schools and from the LEA;

(3) Develop and disseminate a sample notification to all LEAs that can be used as the model for the health report card to notify parents or guardians of the child's BMI results along with basic educational information on what the results

mean, the applicable health risks for a child who is overweight and what the parents or guardians should do with the information. The Tennessee department of education is encouraged to work with appropriate state and national health related organizations in both the design of the form and the sample notification; and

(4) Provide the governor's office, the speaker of the senate and the speaker of the house a report of the results of the BMI screenings by January 31st of each year.

SECTION 4. Schools where aggregate data suggests that high rates of overweight children may be a problem are encouraged to expand existing, or implement new, school-based nutrition and physical activity programs designed to reduce those rates. The effectiveness of these efforts could be determined by completing a BMI-for-age on the school's students whose parents or guardians have not requested exclusion from the testing at the end of the school year.

SECTION 5. This act shall take effect upon becoming law, the public welfare requiring it.